

Introduced by Senator Strickland

February 16, 2011

~~An act to amend Section 104150 of the Health and Safety Code, relating to cancer screening. An act relating to a veterans' memorial.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 443, as amended, Strickland. ~~Breast and cervical cancer screening. Veterans' memorial.~~

Existing law provides that the Department of Transportation has full possession and control of all state highways. Existing law authorizes the department to enter into an agreement to accept funds, materials, equipment, or services from any person for maintenance or roadside enhancement.

This bill would authorize the Old Town Orcutt Revitalization Association to plan, construct, and maintain a veterans' memorial in a specified state-owned park and ride parking lot in Orcutt in consultation with the department. The bill would require the department to enter into any necessary or appropriate agreements with the association relating to the memorial and would prohibit the use of state funds for that memorial.

This bill would make legislative findings and declarations as to the necessity of a special statute for the City of Orcutt.

~~Existing law requires the State Department of Public Health to provide breast cancer and cervical cancer screening services to eligible low-income individuals under a federal grant made under the federal Centers for Disease Control and Prevention breast and cervical cancer early detection program.~~

~~This bill would make a technical, nonsubstantive change to this provision.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. A veterans' memorial may be erected in the*
2 *state-owned park and ride parking lot at the Clarke Avenue West*
3 *exit from State Highway Route 135 in Orcutt. The Old Town Orcutt*
4 *Revitalization Association may plan, construct, and maintain that*
5 *veterans' memorial. The Department of Transportation shall*
6 *consult with the association in the planning, construction, and*
7 *maintenance of the memorial. The department shall enter into any*
8 *agreements with the association that are necessary or appropriate*
9 *to the planning, construction, and maintenance of that memorial.*
10 *No state funds shall be used to fund the costs associated with the*
11 *memorial.*

12 *SEC. 2. The Legislature finds and declares that a special law*
13 *is necessary and that a general law cannot be made applicable*
14 *within the meaning of Section 16 of Article IV of the California*
15 *Constitution because of the unique need to erect a veterans'*
16 *memorial in Orcutt in a publicly accessible location.*

17 ~~SECTION 1. Section 104150 of the Health and Safety Code~~
18 ~~is amended to read:~~

19 ~~104150. (a) A provider or entity that participates in the grant~~
20 ~~made to the department by the federal Centers for Disease Control~~
21 ~~and Prevention breast and cervical cancer early detection program~~
22 ~~established under Title XV of the Public Health Service Act (42~~
23 ~~U.S.C. Sec. 300k et seq.) in accordance with requirements of~~
24 ~~Section 1504 of that act (42 U.S.C. Sec. 300n) may only render~~
25 ~~screening services under the grant to an individual if the provider~~
26 ~~or entity determines that the individual's family income does not~~
27 ~~exceed 200 percent of the federal poverty level.~~

28 ~~(b) The department shall provide for breast cancer and cervical~~
29 ~~cancer screening services under the grant at the level of funding~~
30 ~~budgeted from state and other resources during the fiscal year in~~
31 ~~which the Legislature has appropriated funds to the department~~
32 ~~for this purpose. These screening services shall not be deemed to~~
33 ~~be an entitlement.~~

1 ~~(e) To implement the federal breast and cervical cancer early~~
2 ~~detection program specified in this section, the department may~~
3 ~~contract, to the extent permitted by Section 19130 of the~~
4 ~~Government Code, with public and private entities, or utilize~~
5 ~~existing health care service provider enrollment and payment~~
6 ~~mechanisms, including the Medi-Cal program's fiscal intermediary.~~
7 ~~However, the Medi-Cal program's fiscal intermediary shall only~~
8 ~~be utilized if services provided under the program are specifically~~
9 ~~identified and reimbursed in a manner that does not claim federal~~
10 ~~financial reimbursement. Contracts with, and the utilization of,~~
11 ~~the Medi-Cal program's fiscal intermediary shall not be subject~~
12 ~~to Chapter 3 (commencing with Section 12100) of Part 2 of~~
13 ~~Division 2 of the Public Contract Code. Contracts to implement~~
14 ~~the federal breast and cervical cancer early detection program~~
15 ~~entered into by the department with entities other than the Medi-Cal~~
16 ~~program's fiscal intermediary shall not be subject to Part 2~~
17 ~~(commencing with Section 10100) of Division 2 of the Public~~
18 ~~Contract Code.~~

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